



United States
Department of
Agriculture

Food Safety
and Inspection
Service

Washington, D.C.
20250

OCT 13 2011

Mr. Carter Dillard, Esq.
Director of Litigation
Animal Legal Defense Fund, Inc.
170 East Cotati Avenue
Cotati, CA 94931

Dear Mr. Dillard:

The Food Safety and Inspection Service (FSIS) has received the petition you submitted on behalf of the Animal Legal Defense Fund requesting that FSIS take regulatory action to withhold the official USDA mark of inspection from foie gras products unless such products bear labeling that states that they were derived from diseased birds. According to the petition, foie gras products are not only derived from diseased poultry but they also may induce disease in humans. The petition states that the proposed foie gras label should state, in type determined by USDA to be of uniform size and prominence: "Notice: Foie gras products are derived from diseased birds."

Your request is being considered as a rulemaking petition under the Administrative Procedure Act (5 U.S.C. 553(e)), USDA's administrative regulations (7 CFR 1.28), and FSIS's regulations on petitions (9 CFR part 392). Your petition has been referred to the Office of Policy and Program Development for review and has been assigned petition number 11-09. As provided in 9 CFR 392.6, your petition will be made available to the public in the FSIS docket room and will be posted on the FSIS Website.

You may contact Mary Porretta, Petitions Manager, Policy Issuances Division, at (202) 720-5625 if you have any questions regarding the status of your petition.

Sincerely,

Charles E. Williams
Acting Director
Policy Issuances Division
Office of Policy and Program Development